

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

ROXANA ALVARADO/ROXANA'S CHILD CARE, SP 2014-LE-122 Appl. under Sect(s). 8-305 and 3-303 of the Zoning Ordinance to permit a home child care facility. Located at 6102 Brookland Rd., Alexandria, 22310 on approx. 15,002 sq. ft. of land zoned R-3 and HC. Lee District. Tax Map 81-4 ((8)) 2. (Admin. moved from 1/14/15 at appl. req.) Mr. Hart moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on March 25, 2015; and

WHEREAS, the Board has made the following findings of fact:

1. The applicant is the owner of the land.
2. There is a favorable staff recommendation, and the Board adopts the rationale in the staff report.
3. With the imposition of the development conditions, any impacts have been satisfactorily mitigated.
4. The traffic circulation for McDonald's across the street is separated from the cars going to the driveway for this child care.
5. The driveway is large enough to accommodate the vehicles, and with the staggered pick up and drop off, and the requirement that it be in the driveway, it is going to work.
6. The applicant has acknowledged reading, understanding, and concurring with the development conditions, including the amendments.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

1. This approval is granted to the applicant, Roxana Alvarado, only, and is not transferable without further action of the Board, and is for the location indicated on the application, 6102 Brookland Rd., and is not transferable to other land.

2. This special permit is granted only for the home child care use indicated on the plat entitled, "House Location Survey, Lot 2, Brookland Estates," prepared by L.S. Whitson, L.S., on June 21, 2002, as revised by Gary Alvarado through June 19, 2014, and approved with this application, as qualified by these development conditions.
3. A copy of this Special Permit shall be posted in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. The hours of operation of the home child care facility shall be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday.
5. The dwelling that contains the child care facility shall be the primary residence of the applicant.
6. Excluding the applicant's own children, the maximum number of children on site at any one time shall be twelve.
7. A maximum of two nonresident employees, whether paid or not for their services, may be involved in the home child care facility, limited to the hours of 7:00 a.m. to 6:00 p.m.
8. There shall be no signage associated with the home child care facility.
9. All drop-off and pick-up activities shall occur in the driveway.
10. The approval of the use is contingent upon maintenance of a state-issued family day home license that permits the number of children being cared for at the home child care facility.
11. Any portions of the dwelling associated with the home child care facility that are used as a children's sleeping/napping area shall be located in a room with proper emergency egress, as defined by the Virginia Uniform Statewide Building Code.
12. The shed shall be kept locked at all times during the hours of operation of the child care.

This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall take effect upon adoption of a resolution of approval by the Board of Zoning Appeals.

Ms. Theodore seconded the motion, which carried by a vote of 6-0. Mr. Smith was absent from the meeting.

A Copy Teste:

A handwritten signature in cursive script, reading "Lorraine A. Giovinazzo", written over a horizontal line.

Lorraine A. Giovinazzo, Deputy Clerk
Board of Zoning Appeals